



Gray Davis  
Governor

November 29, 2001

David B. Judson  
*Deputy Director and  
Chief Counsel*

Chief Counsel  
Regulation Coordinator

Sheila R. Mohan  
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Re: 2002 Rulemaking Calendar and Legislative Reporting Requirements

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As we approach the beginning of a new year, we would like to take this opportunity to remind you that the law requires every state agency responsible for implementing a statute that requires interpretation pursuant to the Administrative Procedure Act to prepare, by January 30, a rulemaking calendar for that year. This law requires that the rulemaking calendar be (1) prepared in accordance with a format specified by the Office of Administrative Law, (2) approved by the head of the department or, if the rulemaking agency is an entity other than a department, by the officer, board, commission, or other entity which has been delegated the authority to adopt, amend, or repeal regulations, and (3) published in the California Regulatory Notice Register. (Gov. Code, § 11017.6.) As you may be aware, the Notice Register is now available online and may be accessed through our website, which is: <http://www.oal.ca.gov>.

Please note that this law provides that the preparation of the rulemaking calendar does not preclude adoption of a regulation that is not included in the rulemaking calendar, but which is required by circumstances not reasonably anticipated at the time that the rulemaking calendar is prepared.

For your convenience, we are enclosing two forms for displaying the information required by Government Code section 11017.6. Schedule A is for proposed regulations implementing statutes enacted during the year 2001. Schedule B is for proposed regulations implementing statutes enacted prior to the year 2001. The forms can be downloaded from our website. Please keep in mind that the calendar will be reproduced for publication exactly as received, so it is important to send us an original document.

Additionally, this law requires state agencies to inform the Legislature of actions they are taking to implement newly enacted statutes. Specifically, this law requires the following:

(1) When a statute is enacted establishing a new program or requiring interpretation pursuant to the Administrative Procedure Act, the state agency responsible for the program or regulatory action is required, six months after the operative date or the

effective date of the statute, whichever is later, to issue a clear and concise summary of actions taken to implement the statute to the author of the statute, the policy committees in each house of the Legislature that considered the statute and, if the statute has been considered by the fiscal committee of either house of the Legislature, to the Joint Legislative Budget Committee and to the fiscal committee of each house of the Legislature that considered the statute. (Gov. Code, § 11017.5(a).)

(2) The state agency responsible for the program or regulatory action is also required to send copies of all regulations proposed to implement the statute, and notice of any hearings held on those regulations before those hearings are held, to the author of the statute, so long as the author is a Member of the Legislature. (Gov. Code, § 11017.5(b).)

(3) A state agency is further required to send its rulemaking calendar to the author of each statute enacted during the previous year for which the agency has responsibility, together with an explanation of the priority the agency has given the statute in the rulemaking calendar. (Gov. Code, § 11017.6(b).)

Please note that the Office of Administrative Law will be moving to a new location. The anticipated move date is November 30, 2001. Our new physical and mailing address is as follows:

Office of Administrative Law  
300 Capitol Mall, Suite 1250  
Sacramento, California 95814

Please direct questions regarding the rulemaking calendar to Melvin Fong at (916) 324-7952 or our Reference Attorney at (916) 323-6815.

Thank you for your attention to these matters.

Sincerely yours,

David B. Judson  
Deputy Director and Chief Counsel

Enclosures

